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Brandegee, Frank Bosworth

Woman suffrage

Washington

1918

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WOMAN SUFFRAGE

SPEECH

OF

HON. FRANK B. BRANDEGEE

OF CONNECTICUT

IN THE

SENATE OF THE UNITED STATES

THURSDAY, JUNE 27, 1918

WASHINGTON
1918

70497—18706

24 Feb. 1920 - C.R.W.

SPEECH

OF

HON. FRANK B. BRANDEGEE.

WOMAN SUFFRAGE.

Mr. BRANDEGEE. Mr. President, I do not care to discuss the amendment offered by the Senator from Mississippi [Mr. WILLIAMS]. The proposed so-called Susan B. Anthony amendment to the Constitution of the United States is as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article be proposed to the legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said legislatures, shall be valid as part of said Constitution, namely:

"ARTICLE —.

"SECTION 1. The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any State on account of sex.

"SEC. 2. Congress shall have power, by appropriate legislation, to enforce the provisions of this article."

I rise for the purpose of asking the Secretary to read in my time two letters which I have received from the American Constitutional League, one from its president, Mr. Fairchild, and the other from the chairman of its executive committee, Mr. Everett P. Wheeler, and also to read the tabulation of the States which have voted for woman suffrage and against woman suffrage. I send the letters to the desk.

The VICE PRESIDENT. Without objection, the Secretary will read.

The Secretary read as follows:

AMERICAN CONSTITUTIONAL LEAGUE,
Washington, D. C., June 25, 1918.

Senator FRANK B. BRANDEGEE,
Senate Office Building, Washington, D. C.

DEAR SIR: We are informed that you are one of the thinking statesmen who have reached mature convictions regarding the fundamental principles of our form of government; that you hold, with the present United States Constitution and the latest decision of the Supreme Court, that—

"The power of the States to regulate their purely internal affairs by such laws as seem wise to the local authority is inherent and has never been surrendered to the General Government. * * * If Congress can regulate matters intrusted to local authority, the power of the States over local affairs will be eliminated and thus our system of government is practically destroyed."

You are aware that the most fundamental sovereign right of the people of your State is to decide, by popular vote, the qualifications for the exercise of the suffrage; that these qualifications have been placed in your State constitution, subject to amendment only by popular vote, to put them beyond interference, even by your own legislature.

It is now proposed, through the Susan B. Anthony suffrage force bill, not only to surrender to the General Government the most inherent power reserved to your State as a sovereign body, but to rob your people of the right they have reserved to themselves in your State constitution and to have a local question that

your people will not trust even your own legislature to decide, decided by the members of 36 other State legislatures.

This Federal force bill, for instance, positively takes from the people of your State the right to say who shall vote for your State officers; absolutely disfranchises every voter in your State on this local question hitherto distinctly reserved to popular vote by your State constitution.

And while disfranchising your own people on a question of most vital local concern, this Federal force bill gives the Legislatures of Idaho, Wyoming, Nevada, and Utah, who know nothing about your local conditions and problems, exactly four times as much power to decide who shall vote in your State as your own legislature would have under this force bill.

This suffrage force bill gives some 4,000 members of 36 legislatures, regardless of local conditions, racial problems, or extra expense, the exclusive right to decide for the entire Nation a question which the people of your State do not allow even your legislature to decide for your State.

Such a revolutionary force bill can not possibly stop at the first step. As Elihu Root, who is no radical or devoted defender of "State rights," says:

"If you enable some parts of the country to coerce other parts of the country in their local affairs by the use of national power, you will destroy the whole system and ultimately break up the Union. This is precisely what this amendment undertakes to do."

This force bill is repugnant to every principle of democracy ever voiced in this country. The law of majority rule, called by Jefferson "the first principle of a Republic," is outraged when a Federal force bill undertakes to disfranchise the voters on a subject precisely because the majority of them have rejected it. Local self-government, "self-determination," is equally ignored when every State in the Union is compelled to submit its most vital local issue to the legislatures of other States rather than to its own citizens.

Furthermore, in a time of war and national crisis this amendment would not only start a stupendous political agitation for ratification in 48 States, but, upon ratification, would immediately renew the "reconstruction" and racial problems in the South, as well as double the Socialist and Bolshevist menace in the North. It would add to the expense of the Government of $25,000,000 a year, wasting on a revolutionary political experiment an amount that would buy 500,000,000 rounds of ammunition for national defense, an amount sufficient to pay for every bullet our Army of a million men would use in a year.

Will you not, therefore, stand by the convictions which your own statesmanship and legal training must have given you and vote "No" on the Susan B. Anthony suffrage force bill next Thursday?

Respectfully,

THE AMERICAN CONSTITUTIONAL LEAGUE,
CHARLES S. FAIRCHILD, *President.*

—

AMERICAN CONSTITUTIONAL LEAGUE,
New York, June 25, 1918.

Hon. FRANK B. BRANDEGEE.

DEAR SIR: Allow me on behalf of this league to express our great satisfaction at the manly and courageous course you have

taken in opposition to the resolution depriving each State of its present right to regulate political suffrage for itself. Such an amendment to the Constitution is subversible of the fundamental principle of our Union, which is to leave to each State the regulation of its own affairs. Under this system we have prospered. A contrary system in some other countries has led to discontent and failed.

This attempted compulsion of States opposed to political suffrage for women is not democratic. It is German. The Germans were as confident of the excellence of their kultur as suffragists are of their dogma. Instead of attempting to convince other States, they sought to compel. That is what the suffragists are trying to do with Maine, Massachusetts, New Jersey, Pennsylvania, Ohio, Nebraska—all of which have voted by large majorities against political suffrage for women.

We honor women for all they have done, not only in this war but in all time. We would reward them with honor, love, and protection, as American men have always done. But to enforce the responsibility of political activity upon them is not a reward but a burden. Let not the activity of jealous advocates conceal the truth that each State should decide this question for itself.

We urge, therefore, that you attend and vote against the resolution.

Yours, faithfully,

EVERETT P. WHEELER,
Chairman.

—

Record of woman suffrage at the polls.

DEFEATS (18 IN 5 YEARS).	Majority against	VICTORIES (11 IN 25 YEARS).	Majority for.
		1890.	
		Wyoming (indorsed with constitution when Territory became State).	
		1893.	
		Colorado	6,347
		1896.	
		Idaho	5,844
		Utah	23,618
		1898.	
South Dakota	3,286		
		1910.	
		Washington	22,623
		1911.	
		California	3,587
		1912	
Ohio	87,455	Oregon	4,161
Wisconsin	91,478	Arizona	7,240
Michigan (November)	760	Kansas	16,049
		1913.	
Michigan (April)	96,144		
		1914.	
South Dakota	11,914	Nevada	3,678
Ohio	182,905	Montana	3,714
North Dakota	9,139		
Nebraska	10,104		
Missouri	140,206		

1915.

DEFEATS—continued.		VICTORIES—continued.	
New Jersey (granted women the franchise in 1776, but withdrew the right in 1807)	51,108		
Massachusetts	133,447		
Pennsylvania	55,686		
New York	194,984		
1916.			
Iowa	10,341		
South Dakota	5,219		
West Virginia	98,067		
1917.			
Maine	18,234	New York (woman suffrage was imposed on New York State by the pacifist-socialist vote of New York City, aroused by Morris Hillquit and Dudley Field Malone. Outside of New York City, woman suffrage was defeated throughout the State)	102,353
Total majority number of ballots against	1,346,597	Total majority number of ballots for	199,214

Mr. BRANDEGEE. Mr. President, to the inquiry contained in the letter of Mr. Fairchild I answer that I will stand by my convictions and vote them. Now I ask the Secretary to read the article which I send to the desk, from the New York World, which I believe is considered to be a fairly good exponent of the principles of the Democratic Party.

The VICE PRESIDENT. The Secretary will read as requested.

The Secretary read as follows:

"If any old-fashioned Democrats remain, they must read with uneasiness the message sent by President Wilson to a member of the Louisiana Senate urging the legislature of that State to establish woman suffrage.

"This is a State measure, with which the President has nothing to do; but it will be recalled that last January he recommended favorable action by Congress upon the proposed constitutional amendment, with which also in his official capacity he has nothing to do. Although the House of Representatives has given the amendment the necessary two-thirds majority, the supporters of the project in the Senate have not yet been sure enough of their ground to risk a vote in that body. The Louisiana telegram may have been intended in a roundabout way to influence the decision of the United States Senate or the representatives of that State in the Senate. If not, it must be accepted as a startling interference by the Chief Magistrate in a matter always held by Democrats to be within the sovereign powers of the States.

"In the process of amending the Federal Constitution no account is taken of the President. His approval is not necessary at any stage of the proceedings, and he has no power of veto. Since the makers of the Constitution were extremely careful to leave national amendments wholly in the hands of

Congress and the State legislatures, it must be admitted that presidential recommendations for or against State amendments are as questionable in point of taste as unwarranted in law.

"Surprise in this instance, however, results not so much from what has been done as from the fact that the innovation must be attributed to the most illustrious Democrat of our time. A prohibition amendment submitted by a Democratic Congress and certain, if adopted, to make local self-government only a memory and cripple the police powers of the States is already before the various legislatures for approval. Woman suffrage by national amendment will deprive the States of control of the ballot, denied only once, in the case of the negro, and then disastrously. With a few more movements of this kind State lines must disappear, except as they may represent provinces goaded and guided by an all-powerful centralism at Washington.

"The tremendous demands that war is making upon the hearts and minds of the people are likely to confuse judgment as to the momentous political revolutions now going on almost unnoticed, but it is not difficult to see what they mean to the people and what they mean to the Democratic Party. The changes in our form of government are to be radical and permanent. The party which for more than a century has resisted these changes, usually with success, now, under one of the greatest of its leaders, submits to them and, some will say, encourages them.

"Even though the historic Democratic Party may thus decree its own death, democracy is unconquerable. Under other names and other banners it will endure, but in the new alignment many a so-called Democrat who has lost faith in the basic principle of his party is bound to perish."

Mr. LEWIS. Mr. President——

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Connecticut yield to the Senator from Illinois?

Mr. BRANDEGEE. With pleasure.

Mr. LEWIS. Mr. President, will the Senator from Connecticut give me his opinion as to a viewpoint expressed through the article tendered by him, I take it, from some bar association? It is this: Has the Senator from Connecticut any legal doubt but that the power in the State of Connecticut would still remain to prescribe qualifications and conditions under which suffrage could be exercised under this amendment to the same extent as they do now and as they have for the past 10 years?

Mr. BRANDEGEE. I have no doubt about it. It would utterly deprive the State of the power to determine the qualifications of its own electors.

Mr. LEWIS. I did not quite catch the Senator's reply.

Mr. BRANDEGEE. I say I have no doubt about it.

Mr. LEWIS. Well, which viewpoint does the Senator have?

Mr. BRANDEGEE. I have the viewpoint that, if the Constitution of the United States says that the State of Connecticut can not prescribe the qualifications of its own electors, it can not do so.

Mr. LEWIS. Then I fear I did not make myself clear to the Senator. I meant to ask the Senator does he feel that this amendment, when adopted, would in any wise take from the

State of Connecticut the same power to regulate by conditions and qualifications the enjoyment of the suffrage to the same extent that it has done heretofore under State law?

Mr. BRANDEGEE. I do not know whether it is an enjoyment or not; but I think it would absolutely deprive the State of the right to limit the suffrage to males. [Laughter.]

Mr. LEWIS. The Senator, of course, understands I recognize that it removes the limitation of sex; but as to conditions and qualifications in the enjoyment, such as education, such as protection of the ballot at the hands of those who should be enlightened enough to exercise it, does the Senator feel that this amendment in any wise would interfere with that indicated in the paper presented by him from some bar association?

Mr. BRANDEGEE. It was not from a bar association; it was from the Constitutional League of America.

Mr. LEWIS. I understood something of the kind. I want to know if the Senator's opinion agreed with their views as to that?

Mr. BRANDEGEE. My opinion is that a State at present has the right to confine the suffrage to the male sex, if it chooses to do so; but if this amendment is passed it can not do it.

Mr. LEWIS. Yes; I concur with the Senator, if this amendment is passed.

Mr. BRANDEGEE. As to any other qualifications, this amendment, of course, does not touch them at all.

Mr. LEWIS. The Senator from Mississippi [Mr. WILLIAMS] has led me to conclude that he had a different opinion. I accept the viewpoint of the Senator from Connecticut.

Mr. BRANDEGEE. The Senator from Mississippi was not talking about the amendment before the Senate; he was talking about the amendment that he has offered to restrict the suffrage to white people. I am not discussing that question.

Mr. LEWIS. Since the Senator from Connecticut has been courteous enough to yield, does the Senator from Connecticut, apropos of the amendment suggested by the Senator from Mississippi, assume that the Congress of the United States could pass an act which would limit the suffrage to whites without having it declared invalid under the opinion of the Supreme Court of the United States lately delivered in connection with a case coming from Oklahoma under a provision of the constitution of that State?

Mr. BRANDEGEE. No; I do not; nor under any other decision of the Supreme Court of the United States. I do not think an act of Congress can touch that question at all.

Mr. LEWIS. I agree with the Senator.

Mr. BRANDEGEE. But that is not the proposal. It is proposed as an amendment to the Constitution of the United States and not as a United States statute at all.

Mr. THOMPSON. Mr. President, will the Senator yield for a question?

Mr. BRANDEGEE. I yield.

Mr. THOMPSON. The Senator states that he thinks the States have a right of course to limit suffrage to men. Does the Senator think that the States would have the right to limit it entirely to women if they saw fit?

Mr. BRANDEGEE. Absolutely; there is no doubt about that, or to put any other qualification on the privilege of voting. It

is not a right, but is simply a privilege in the discretion of the Government of the country.

Mr. THOMPSON. There is no national constitutional inhibition against women voting, then, is there?

Mr. BRANDEGEE. Well, there is no national constitutional provision about it at all, except that the States shall have the rights which they did not delegate to the National Government.

Mr. President, the letters which I have sent to the desk and the editorial from the New York World represent my views upon this question. I think the Constitution of the United States was designed to be a broad charter defining the character of our Government. It divided the powers of Government into three parts—the legislative, the judicial, and the executive—and in broad outline it indicated the kind of government we were to have as a nation; but the Constitution was framed by delegates from the several States, and they carefully reserved to the States all the rights that they had not specifically delegated to the National Government or which were not necessarily implied from the specifically delegated powers. I do not think the Constitution was designed to be a criminal code nor a set of local ordinances nor a book of statutes. I do not think it was intended that we should put into the Constitution of the United States, at the behest of the legislatures of three-fourths of the States, without any submission whatever to the people of the States, provisions as to what we should eat and what we should drink and when we should go to bed and what should be our local customs in our home communities.

I think the framers of the Constitution were a very wise and learned set of men of great experience, and they intended to formulate the frame and kind of government that should exist in this country. They never intended, in my opinion, that Congress should attempt to say at what age a child shall work in Louisiana or in Mississippi, or whether or not the people of California shall raise grapes or shall make them into wine after they have raised them, or that three-quarters of the States should say that nothing produced by negro labor in the South should ever come north of Mason and Dixon's line. I do not think that they intended, when they made the Constitution of the United States, defining and limiting the powers of the National Government, to deprive the people in their respective home communities of the right of local self-government and home rule. To talk that way now may sound like an old fogy; it may be that the Congress now thinks that wherever there appears an insistent and persistent vocalization for a cause or a propaganda, Congress has no duty in the premises except to yield to it and pass the thing on to the legislatures of the States. That is not my view of our duty, Mr. President.

If I recall the language of the Constitution, it is in substance this: That whenever two-thirds of the Senate and two-thirds of the House of Representatives of the Congress think the United States Constitution should be amended, they shall pass a resolution to that effect and submit it to the legislatures of the several States—whenever two-thirds of each branch of Congress thinks it is *necessary* they shall submit it to the legislatures of the several States. I do not think this is *necessary*, and I have some doubt as to whether some gentlemen who are inclined to vote for this thing think it is *necessary*. I say that

because I have heard Senators express in ordinary cloakroom conversation their notion that whenever there was a persistent demand for a thing they would vote to submit it to the several States.

Mr. President, the framers of the Constitution thought the people of this country would send to Congress men who had ideas of their own and did their own thinking; they did not think we were simply to be a funnel to pass on to the States whatever some newspaper or some propaganda should agitate sufficiently strenuously and sufficiently loudly. They intended the Constitution to be of such fundamental character that it could not be amended, except when the Congress thought it was *necessary* and the legislatures of three-quarters of the States thought it was *necessary*.

Now, I have a high enough opinion of the Congress of the United States to feel that the opinion of the Senate and the House of Representatives representing the 48 sovereign States of this country is of almost as much importance as that of the legislature of some State. I actually think that; and I think when the framers of the Constitution said that the Constitution should not be amended except two-thirds of the Senate and two-thirds of the House thought it was *necessary*, they meant exactly what they said. Under our oath of office I do not feel, and I do not think that any other Member of Congress ought to feel, that that duty should be regarded as a purely perfunctory one. I do not think that in the process of amending the Constitution, which is the process of making the Constitution, the Congress of the United States of America should simply be a conduit to shove things away from us onto the legislatures of the States.

I may be all wrong about that. I know the force and the intimidating effect of a persistent, well-financed minority in any propaganda that they start to conduct in this country. We all know it. Nobody here is fooled by it. The letters and telegrams and delegations and visitations that are inflicted upon us on subjects about which we have thought for years, from all sorts of societies and organizations, contribute very little to the sum total of human information. Most Senators and Representatives have read and thought everything that has been printed and said upon this question, and upon both sides of it; and, in my opinion, any man who is a Senator of the United States or a Member of the House of Representatives who will change his vote on a fundamental matter of this kind until he has changed his mind and his honest conviction is not worthy to be a Member of Congress.

What do the proponents of this constitutional amendment say? They all try to utilize the war as a reason why they should have the privilege of voting. They call it a right. Of course it is not a right. They know that just as well as we do. Every court in the country has decided, wherever the question has been presented, that the suffrage was not a right but was a privilege conferred by the Government. There is no more reason in morals or nature why sex should constitute a natural right to the suffrage than there is why a boy 15 years old should not vote. The Government says he can not vote until he is 21. There is no inherent right whatever about it. There is no question of morals whatever about it. The only question is the honest, sane judgment of the men in charge of the Government

of the United States and of the several States as to what is best for the Government of the United States and for the States in this matter.

I am not discussing the question of suffrage. I admit freely that each State can and ought to decide that question for itself, as the President of the United States himself said, and as both political platforms say. I am perfectly willing that each State should decide it for itself, and they are the proper tribunals to decide it, for they know their own local conditions; but we are asked here to use the Constitution of the United States as an instrument, by the vote not of the people but of the legislatures of three-quarters of the States, to impose this thing upon the other quarter of the States, whether they want it or not. Now, is that democracy? Is that home rule? Is that local self-government? Why, it can not be so, Mr. President. As the Supreme Court said in the child-labor case, such a theory is utterly subversive of every notion of democracy upon which this Government was founded and upon which the Constitution was founded.

Mr. OWEN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Oklahoma?

Mr. BRANDEGEE. Certainly.

Mr. OWEN. Did the Senator favor the fourteenth and fifteenth amendments?

Mr. BRANDEGEE. I was an infant when the fifteenth amendment was adopted, I will say to the Senator.

Mr. OWEN. Does the Senator favor it now?

Mr. BRANDEGEE. I do not know. Does the Senator from Oklahoma favor it?

Mr. OWEN. I do, and I have sworn to sustain it on this floor.

Mr. BRANDEGEE. I have sworn to sustain it, of course, but whether I would have enacted it or not it is a different thing. But, Mr. President, I want to say to the Senator that the fifteenth amendment, which gave the ballot to the black race in this country, was the product of force and of a war. There had been, from the foundation of this Government, the question of slavery impending, which finally rent the country and produced the great Civil War, and it was brute force that won the Civil War; and as a necessary corrollary of it the party in power at that time thought it was necessary to enfranchise the blacks in order that the fruits of the war should not be lost, and it was done. Now, whether it is a mistake or not, the Lord only knows. I do not.

Mr. OWEN. I merely call the attention of the Senator from Connecticut to the fourteenth and fifteenth amendments, which were advocated by the particular party to which he belongs, and which were the fruit of the Civil War, and the adoption of which was brought about by the fact that a moral question arose concerning human slavery, and the Constitution was amended by a vote of the States. The Senator, if he recognizes that principle in the case of enfranchising the negro race, can not, I think, consistently argue against the application of the same principle in amending the Constitution with regard to the white women of this country.

Mr. BRANDEGEE. I think I can; but I would omit the word "white."

Mr. VARDAMAN. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Mississippi?

Mr. BRANDEGEE. Certainly.

Mr. VARDAMAN. In reply to the Senator from Oklahoma, I wish to say that there was no necessity at all, in order to liberate the negroes of this country forever, to adopt the fifteenth amendment. The Senator from Connecticut says that the Lord only knows whether or not a mistake was made when that amendment was adopted; but I want to say to the Senator that the southern people, in addition to the Lord, know that a great mistake was made, an unpardonable mistake. [Laughter in the galleries.]

The PRESIDING OFFICER. The Senate will be in order.

Mr. BRANDEGEE. Mr. President, of course I assume that different people may have different views upon this question. I admit the experience of the Senator from Mississippi in that line, and I know that that is one of the questions in which he is deeply interested, but I am not discussing that question. The Senator from Oklahoma, however, can not accuse me of inconsistency. If I am in favor of the fifteenth amendment, or thought it was wise, it would have no relevancy whatever to my convictions or to my vote upon this question. As I say, that was absolutely a war measure, in the opinion of those who put it in the Constitution of the United States, just as much as the raising of the Army was a war measure; and it was thought necessary—whether mistakenly or not, I do not know—by those in charge of the Government at that time to put it in the Constitution, and they did it. Now, any Senator who is going to vote for this proposed constitutional amendment because he thinks the fifteenth amendment was a glorious success, in my opinion, had better take another think about it. We certainly have had time enough to reconsider that matter, about 50 or 60 years; and if any Senator thinks we were wrong in putting the fifteenth amendment into the Constitution, all I say to him is, "Do not do it again."

Mr. VARDAMAN. Mr. President, if the Senator will pardon me——

Mr. BRANDEGEE. Certainly.

Mr. VARDAMAN. I should have very little objection to the fifteenth amendment if it provided only for the emancipation of the negro; but instead of giving him his freedom, instead of abolishing slavery, it gave him the right of suffrage, or the privilege of suffrage, which was, in my judgment, an egregious mistake.

Mr. BRANDEGEE. I am glad to see the Senator makes a distinction between the right and the privilege.

Now, Mr. President, I am not discussing whether any State ought to prescribe as one of the qualifications of the electors who are to choose its officers, and those who shall govern it, whether it shall have woman suffrage or not. That is its business and not mine. I do not want to attempt to say what the qualifications of the electors of the State of California shall be, and I am not qualified to do it. I do not want the Senator from Mississippi to say what the qualifications of electors in Connecticut shall be, and I do not think he wants me to try to attempt to say what shall be the qualifications of electors in Mississippi, and I am not qualified to do it.

Mr. VARDAMAN. Mr. President-

The PRESIDING OFFICER. Does the Senator from Connecticut further yield to the Senator from Mississippi?

Mr. BRANDEGEE. Certainly.

Mr. VARDAMAN. So far as Mississippi is concerned, all the damage has been done that can be done by the adoption of the fifteenth amendment.

Mr. BRANDEGEE. If the Senator feels that way, I suppose he will vote for the amendment and double the damage.

Mr. VARDAMAN. I do not think any possible damage could be done by investing woman with the privilege of suffrage.

Mr. BRANDEGEE. Mr. President, as I say, I am not arguing the merits of woman suffrage. I am not here to say that a woman is not a great deal better than a man. I am not here to say that they will not elevate and purify politics, though I doubt it very much, because I think that women are very much like men in this respect; that they are good, bad, and indifferent. I think where you find the men bad you will find the women bad, and where you find the men good you will find the women good, and where you find the men indifferent you will find the women indifferent.

Mr. VARDAMAN. Does not the Senator think that bad women are made so by some bad men?

Mr. BRANDEGEE. Well, I think there are some bad women. [Laughter in the galleries.]

The PRESIDING OFFICER. Demonstrations are not permitted under the rules of the Senate.

Mr. BRANDEGEE. Mr. President, in my opinion the granting of suffrage to women will not make a better government and will not make better laws for this country. I may be totally mistaken about that. Of course, it will double the number of voters and double the expense, and a lady has got to vote either against her husband or with him. If she votes with him the result will be the same, and if she votes against him the result will be the same, and if she does not vote at all the result will be just the same as it is now; and I can not perceive how the thing is going to purify politics very much.

Mr. SHAFROTH. Mr. President——

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Colorado?

Mr. BRANDEGEE. Certainly.

Mr. SHAFROTH. Does not the Senator believe that the just powers of government are derived from the consent of the governed?

Mr. BRANDEGEE. What does the Senator believe about the Philippine Islands?

Mr. SHAFROTH. I must say that I have always been in favor of giving independence to the Philippine Islands, and I fought upon the floor of the Senate for that very principle.

Mr. BRANDEGEE. Mr. President, all this talk about striking the manacles and the shackles off the limbs of the enslaved women of this country is perfect tommy-rot. [Laughter.] That is all there is to it.

Mr. SHAFROTH. If we are not to recognize that fundamental principle of government, which is the foundation stone of our Republic, what are we fighting for over in Europe?

Mr. BRANDEGEE. I think to make the world safe for the Democratic Party. [Laughter.]

Mr. SHAFROTH. The Senator will find it is making it safer for democracy, and you can not make it safer for democracy if you refuse to extend this "privilege" to women.

Mr. BRANDEGEE. That argument does not convince me, Mr. President.

Mr. OWEN. Mr. President, the term "privilege" seems now to be accepted as the proper vernacular in dealing with this right of suffrage, but I think that the Senator is not justified in calling it a privilege, because if there is a moral right it is for a human being who is of age to have a voice in the government by which his life and liberties are controlled.

Mr. BRANDEGEE. Mr. President, this question of moral rights is beyond me. Anybody can evolve out of his inner consciousness what he says is a moral right, and maintain it, and there is no way of disputing it or arguing about it. I do not consider it a question of morals at all as to the qualifications of electors. I consider it a practical matter, to be judged by practical men, as to what they think will be the best form of government for the people of the country. All this lingo about the women of America being enslaved is pure trumpery and foolishness. You can not get on a trolley car without having to take off your hat and give up your seat to every woman who gets aboard the car, and they are petted and flattered and are the queen bees in this country, and there is no nation in the world where a woman's lot is so happy as it is in the United States of America.

Mr. SHAFROTH. Mr. President, I should like to ask the Senator, if men were deprived of the right of suffrage, whether or not he would consider it of the character he has described?

Mr. BRANDEGEE. I do not think the men are going to deprive themselves of a function which they have always exercised.

Mr. SHAFROTH. But, as a matter of fact, the people regard deprivation of the right to vote as slavery.

Mr. BRANDEGEE. I do not admit that it is a right at all.

Mr. SHAFROTH. The Senator does not consider it a right?

Mr. BRANDEGEE. I do not. I deny it absolutely.

Mr. SHAFROTH. If it were taken away from the Senator I am inclined to think he would think it was a great right.

Mr. BRANDEGEE. I would not object, or if I did object I would be powerless. If the legislature of my State should decide that bachelors could not vote I would think that it was wrong, but I would submit to it.

Mr. GALLINGER. It would be rather hard on the Senator.

Mr. BRANDEGEE. It would be rather hard on the Senator from Pennsylvania and the Senator from Connecticut, but, Mr. President, this question ought to be looked at right in the face, without fear or favor, without any thought of political preferment, and I will say that anybody who thinks he is going to get any political profit out of voting for this constitutional amendment will be the most disappointed gentleman that has ever been in the Senate. The minute the ladies get the privilege of voting, if they do get it, they will forget all about the gentlemen who gave it to them, and they will vote just as they please.

Mr. OWEN. I hope so.

Mr. BRANDEGEE. And they are just as liable to vote against those who voted to give them the vote as they are to vote for them; I will tell them that. It was an ancient Latin scholar

who pronounced the phrase, "Varium et mutabile femina est," and they always reserve the right to change their minds upon proper occasions; so that you need not vote for it upon any ground of that kind. But, Mr. President, my fundamental objection to this amendment is that it is inherently wrong, according to my view, to prostitute the Constitution of the United States, which is the broad charter of our liberties and the definition of our form of government, to the use of sectional, local police regulations, ordinances, and statutes.

There is another feature about this, Mr. President, which occurs to me in passing, and that is this: The object of the framers of the Constitution is perfectly plain. It was intended to be, as nearly as possible, a fundamental and permanent document. It was to lie at the foundations and the corner stones of this great free Republic, and they did not want it to be amended by every passing breath and every whim that seemed to be popular at the time. Of course you hear from whoever is engaged in the propaganda of enacting some legislation. You do not hear much from those who are opposed to it or who are indifferent or do not understand it; but the noisy minority that absorb to themselves all the virtue and credit that the whole female sex is entitled to, get the ear of Congress and of the newspapers. The framers of the Constitution, when they said that before that instrument should be amended it should be deemed *necessary* by two-thirds of the Senate and two-thirds of the House and three-fourths of the legislatures of the States, meant to make it difficult to amend the Constitution, and it ought to be difficult to amend the Constitution.

Now, what happens in an instance like this? Suppose men generally regard their duty here as one to pass on this amendment, to dodge their responsibility, to have no opinion as to whether it is *necessary* or not, and to say, "We will abdicate; we will pass this thing up to the legislatures and turn the women over to the legislatures of the several States and get rid of them here."

The PRESIDING OFFICER. The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (H. R. 12281) making appropriations for the support of the Army for the fiscal year ending June 30, 1919.

Mr. BRANDEGEE. That is a very important bill, and I desire to speak on it. I shall finish in a few minutes.

Mr. CHAMBERLAIN. The Senator is going to continue?

Mr. BRANDEGEE. For about five minutes.

I say if three-quarters of the legislatures of the States do approve of this thing, if it is passed up to them by Congress, thinking it *necessary*, then suppose it does not work in the States? Suppose some States do not like it and the results are bad. What have they got to do? They are absolutely foreclosed for all time. What becomes of your majority rule? There may be a dozen States that think this thing is a failure and is working ruin upon them. They have got to start an agitation for a constitutional amendment to undo that constitutional amendment, and they have got to convince two-thirds of the Senate, two-thirds of the House, and three-quarters of the legislatures of all the States of the Union to put it out of the Constitution.

Mr. President, the mere suggestion of that shows, as Senator Elihu Root said in that letter I put into the RECORD, that it is perilous to use the Constitution of the United States to regulate the daily habits of the people and their domestic concerns. Is it so that the party which has for 75 years stood for the doctrine announced by its sainted leader Thomas Jefferson that "that Government governs best which governs least" is here to-day to say that their own States and their own people have abandoned any idea of governing themselves and are now prepared to turn that function over to Washington?

I want to call attention to another thing, Mr. President. Of course, I admit this is a constitutional procedure. The proponents of this constitutional amendment are proceeding in the manner prescribed by the Constitution. I do not deny that. I simply claim that there ought to be a wise discretion as to what sort of thing should be put into the Constitution of the United States. But just think of this: There is not a constitution of a single State in the Union that can be amended without the legislature voting for the amendment and then submitting it to the electors of that State. And yet the Constitution of the United States, that is supreme and overwhelming and overpowering over all State constitutions, can be amended by two-thirds of Congress and the votes of the legislatures of three-quarters of the States without the approval of the people at all.

If there is anything in the world that touches the rights and habits of the people more intimately than the qualifications of their own electors, I should like to know what it is. The people of Kansas may be very wedded to the bone-dry prohibition theory. The people of the great State of New York, 10,000,000 people, may not be. If there are enough States like Kansas—if three-quarters of the States feel like Kansas does, the State of New York is to have bone-dry prohibition put upon it. The State of California, with all its investments and its vineyards, is to have bone-dry prohibition put upon it, not by the people, but by the Congress of the United States and three-quarters of the legislatures of the *other* States.

Mr. President, what sort of Government are we going to have when we get through with this "*ghost dance*" we are now indulging in? Ex-Senator Root foresees it and forecasts it. The New York World foresees it and forecasts it. A good many Democrats see it and forecast it, but they decline to stand up, and try to prevent it. When I say Democrats, I am not reflecting on them. A good many Republicans are doing the same thing. I simply instance Democrats because these things appear to me to be more in violation of the things that they have heretofore stood for and proclaimed should be fundamental.

Now, Mr. President, I have said all I care to say about this matter. I shall vote against the amendment if it comes to a vote, and then my State can do as it pleases through its legislature; but I have pending here an amendment to the Constitution of the United States, reported favorably by the Judiciary Committee, that the Congress can submit constitutional amendments in the future to the legislatures of the States or to conventions to be called in the same, as the present constitutional provision is, *or to the electors of the States*, so that the people themselves can have something to say about what concerns their daily life and their daily habits.

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